

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANGELA HAMILTON and MATTHEW
HOGAN, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

NUWEST GROUP HOLDINGS, LLC,

Defendant.

Case No. C22-1117RSM

ORDER FOR ENTRY OF PROTECTIVE
ORDER AND TO PARTICIPATE IN RULE
26(f) CONFERENCE

This matter comes before the Court on Plaintiffs' Motion for Entry of Protective Order and Order to Participate in a Rule 26(f) Conference. Dkt. #46. Plaintiffs have filed a proposed Model Stipulated Protective Order consistent with Local Rule 26 but have not submitted a word version of that Order to the undersigned's chambers. Dkt. #46-1.

This case was filed on August 10, 2022. Dkt. #1. A Motion to Dismiss was granted in part and denied in part. Dkt. #37. Defendants filed an Answer, Dkt. #38, and later an Amended Answer, Dkt. #39. A Motion to Certify Class was filed on March 21, 2023. This Motion followed on April 27, 2023. This case was reassigned to the undersigned on May 8, 2023. The parties disagree as to whether discovery can begin pending the resolution of the Motion to Certify Class.

ORDER FOR ENTRY OF PROTECTIVE ORDER AND TO PARTICIPATE IN RULE 26(f)
CONFERENCE - 1

1 The Court finds that the proposed Model Stipulated Protective Order is satisfactory and
2 it will be entered. The Court further finds that there is no reason to delay discovery on this
3 record and will order the parties to engage in a Rule 26(f) conference immediately. This Court
4 routinely orders discovery to proceed while a class certification motion is pending, and
5 Defendant has provided no valid justification for staying discovery here. If there is an issue as
6 to the scope of discovery it can be raise in a motion for protective order, assuming the parties
7 cannot resolve the issue outside of Court.
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9 Having considered the entire record, the Court hereby finds and ORDERS that
10 Plaintiffs' Motion for Entry of Protective Order and Order to Participate in a Rule 26(f)
11 Conference, Dkt. #46, is GRANTED. The Court will enter the proposed Model Stipulated
12 Protective Order (Exhibit 1 to the Motion) after Plaintiffs submit a word version to the Court's
13 orders inbox for signature. The Court further ORDERS the parties to confer under Rule 26(f)
14 within 10 days of this Order unless the parties can agree on a later mutually agreeable date.
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18 DATED this 15th day of May, 2023.
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22 RICARDO S. MARTINEZ
23 UNITED STATES DISTRICT JUDGE
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